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Food EOOD, LML CONSULT Ltd., Ad Crunch
Ltd., Fresh Break Ltd., and Specialized Collections
Bureau, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ADTRADER, INC., CLASSIC AND
FOOD EOOD, LML CONSULT LTD.,
AD CRUNCH LTD., FRESH BREAK
LTD., AND SPECIALIZED
COLLECTIONS BUREAU, INC.

Plaintiffs,

v.

GOOGLE LLC.

Defendant.

Case No. 5:17-CV-7082-BLF

**DECLARATION OF RANDOLPH GAW
RE: PLAINTIFFS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL THEIR
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE SUR-REPLY AND
PROPOSED SUR-REPLY**

Judge: Hon. Beth L. Freeman
Hearing Date: *None req'd* (L.R. 7-11(c))

1 I, Randolph Gaw, declare as follows:

2 1. I am a partner in the law firm of Gaw | Poe LLP, counsel of record for Plaintiffs
3 and the class in the above-captioned case. If called to testify at a hearing or trial, I could and
4 would testify to the following, which is based on my personal knowledge. I submit this
5 declaration pursuant to Civil Local Rules 7-11 and 79-5(d)-(e), in connection with Plaintiffs'
6 Administrative Motion to File Under Seal Their Administrative Motion For Leave to File Sur-
7 Reply ("Administrative Motion") and the Proposed Sur-Reply ("Sur-Reply").

8 2. The following portions of the Administrative Motion, Sur-Reply, and the
9 Declaration of Samuel Song Re: Plaintiffs' Administrative Motion to File Under Seal Their
10 Administrative Motion For Leave to File Sur-Reply and Proposed Sur-Reply ("Song
11 Declaration") contain information which Google designated "Attorney's Eyes Only" pursuant to
12 the parties' Stipulated Protective Order (ECF No. 66):

13 a. The Administrative Motion at Page 1, lines 13 to 23; Page 2, lines 21 to 28;
14 Page 3, lines 2 to 10; Page 3, lines 12 to 20; Page 3, line 25 to Page 4, line 6; Page 4, lines 7 to
15 19; Page 4, lines 20 to 27; Page 5, lines 3 to 9; Page 5, lines 12 to 22.

16 b. The Sur-Reply at Page 1, lines 7 to 17; Page 2, line 10 to Page 4, line 28;
17 Page 5, lines 4 to 5; Page 5, line 9 to Page 7, line 12; Page 7, line 16 to Page 8, line 11; Page 8,
18 line 18 to Page 9, line 19.

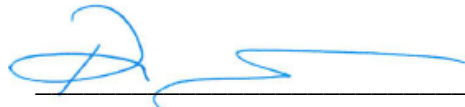
19 c. The Song Declaration at Page 1, line 26 to Page 2, line 1; Page 2, lines 6 to
20 23; Page 2, line 26 to Page 3, line 1; Page 3, line 9 to Page 4, line 15; Page 4, lines 20 to 26.

21 3. The designated information in these documents is not in fact eligible for any
22 protection under Ninth Circuit precedent for the reasons set forth in the accompanying Motion
23 and the Song Declaration.

24 4. To date, Google has produced 68,858 pages of documents in this action. They
25 have designed all but a few thousand pages of their production as Attorney's Eyes Only.

26 5. Nonetheless, Plaintiffs file the Motion out of an abundance of caution, and
27 consistent with their obligations under the stipulated protective order entered in this case.
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1 I declare under penalty of perjury of the laws of the United States that the foregoing is true
2 and correct. Executed this 15th day of February, 2019 in San Francisco, California.

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